

II. Amendments to the Drawings

The attached sheets of drawings, corresponding to FIGS. 1-25, replace sheets 1-25 of the originally filed drawings.

III. Remarks

Reconsideration of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1-20 remain pending.

A. OBJECTIONS TO THE DRAWING

The drawings are objected to because they contain extraneous matter and some figures are not properly oriented. Responsively, Applicants enclose herewith corrected drawings sheets 1-25, which hereby replace the originally filed drawings sheets.

B. CLAIM REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Regarding claim 1, the Examiner states that "lines 6-13 is incomplete. It appears that "such that" on line 6 should be --that performs the steps of--or similar language." Responsively, lines 6-13 of claim 1 have been amended to more clearly recite the functions of the spindle locking system. The Examiner further states that "lines 23-28 is inaccurate or unclear since the second torque generating system (electric motor) is disclosed as being off (and thus produce no torque) at times." Similarly, the Examiner states that "[i]t is not clear how the spindle speed could be maintained or maintained at a lower speed than a rotary speed of the spindle driven by the second torque generating system since the speed of a seat belt spindle would be highly variable depending the

particular conditions of use." Responsively, claim 1 has been amended to more clearly recite that the torque generated by the first torque generating system is made to be lower than the torque generated by the second torque generating system when the torques generated by the first and second torque generating mechanisms are each transmitted to the spindle.

Regarding claim 4, the Examiner states that "it is not clear in advance of what the torque setting is made." Responsively, claim 4 has been amended to better clarify that the first torque generating system has a preset torque setting so that a predetermined tension is generated in the webbing when a seat belt user fastens the seat belt.

Regarding claim 6, the Examiner states that this claim is inaccurate or unclear since "[t]he elastic force of the disclosed elastic member would vary depending on the amount that it is compressed and would be zero when uncompressed." Responsively, claim 6 has been amended to clarify that the elastic force of the elastic member is greater than the force generated by the first torque generating system when the elastic member is compressed.

Regarding claim 12, the Examiner states that "it appears that 'on a side' on lines 5 and 8 should be --in the direction--." Responsively, claim 12 has been amended accordingly. The Examiner also states that "it appears that 'is wound' should be --is being wound--." Responsively, claim 12 has been amended to clarify that the webbing is the webbing winding state.

Regarding claim 14, the Examiner states that "[t]he language of claim 14, lines 5-6 is unclear since both recited levels of torque are for rotating the spindle. Additionally, 'the torque' appears to refer to a level of torque (note parent claim 1, lines 23-24). It is

not clearly set forth in the claims how the various recited torque levels are related.”

Responsively, claim 14 has been amended to clarify that the control system makes the second torque generating system generate the torque at a level which is higher than a predetermined level of torque required for rotating the spindle.

Regarding claim 17, the Examiner states that “the language ‘a level ... period of time’ appears to be incomplete.” Responsively, claim 17 has been amended to clarify that the control system makes the second torque generating system generate the torque at a predetermined level for rotating the spindle in the winding direction for a predetermined period of time.

Regarding claim 19, the Examiner states that this claim “appears to be self-contradictory. The two recited levels of torque are the same.” Responsively, claim 19 has been amended to clarify that the control system makes the second torque generating system generate the torque at a level greater than a predetermined level of torque required for rotating the spindle in the winding direction.

C. CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-4, 15, 16, and 20 stand rejected as under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2002/0189880 to Tanaka et al in view of U.S. Patent No. 6,499,554 to Yano et al. Applicants respectfully traverse these rejections.

Claim 1 recites, in pertinent part, that the torque generated by the first torque generating system is made to be lower than the torque generated by the second torque generating system when the torques generated by the first and second torque

generating systems are each transmitted to the spindle, wherein the second torque generating system is used repeatedly. Applicants respectfully submit that the cited references fail to teach or suggest at least the aforementioned limitation.

First, Applicants respectfully submit that the Tanaka reference fails to disclose a retractor wherein torque generated by a first torque generating system is made to be lower than the torque generated by a second torque generating system when the torques generated by the first and second torque generating systems are each transmitted to the spindle. Unlike claim 1, the torques generated by the first torque generating system (spring means 14) and the second torque generating system (motor 10) are independently transmitted to the spindle. More specifically, the Tanaka reference discloses that when the spring 14 is functioning normally, “the entire amount of the seatbelt webbing is directly wound by the spring means 14.” See Par. [0061]. Also, “when the belt winding operation of the spring means 14 is normal” (Par. [0062]), the rotational speed V_s generated by the spring means 14 is greater than the rotational speed V_m generated by the motor 10. See, e.g., Par. [0063]. In contrast to claim 1, therefore, the torque generated by the spring 14 is greater than the torque generated by the motor 10 when the spring transmits torque to the spindle.

Moreover, the torque generated by first torque generating system (14) is only lower than the torque generated by the second torque generating system (10) when the first torque generating system (14) is in an abnormal or non-functional state. In other words, when the spring 14 is no longer operable (e.g., due to aging) only torque generated by the motor 10 is transmitted to the spindle. Accordingly, the Tanaka references merely disclose using torque generated by the second torque generating

system (10) to wind the webbing selectively, rather than repeatedly, as required by independent claim 1.

For at least the foregoing reasons, Applicants respectfully submit that claim 1 is allowable over the cited references. In addition, since claims 2-20 ultimately depend from independent claim 1, claims 2-20 are believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

CONCLUSION

In view of the preceding amendments and remarks, the Applicant(s) respectfully submit that the specification is in order and that all of the claims are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, the Applicants respectfully request that the Examiner contact the Attorney of the Applicants at the earliest convenience of the Examiner.

Respectfully submitted,

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Date

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